IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 12270 of 2004

Between:

P. Masoom S/o Shaik Shawvali
r/o Bangarupet, Kurnool, Kurnool District

..... PETITIONER

AND

The Depot Manager, AP. State Road Transport Corporation,

Kurnool II Depot, Kurnool District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or directions, more in the nature of writ of Mandamus directing the respondent herein to consider and pass appropriate orders on the petitioner's representation dt 13-3-2003 as per law and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner:MR.P.GOVINDA RAJULU, Advocate

For the Respondent: MR.P.VINAYAKA SWAMY, Standing Counsel for APSRTC

The Court at the admission stage made the following ORDER:

After serving in the respondent Corporation for about 26 years as driver, the writ petitioner was retired from service on
26-04-2000 on medical grounds under voluntary retirement scheme. While he was working as driver, certain punishments have been imposed against him. Therefore, his annual increments were withheld without cumulative effect. The grievance of the petitioner is that his annual increments after the period of punishment have not been given effect to and also retirement benefits have not been given by the respondent Corporation after refixing the pay. Therefore, he filed the present writ petition.

Learned counsel appearing for the petitioner contended that after punishment period is over, the pay of the petitioner has not been refixed and therefore, his pay has to be refixed as the punishment imposed is without cumulative effect.

The learned Standing Counsel appearing for the respondent Corporation opposed for the same.

If the punishment imposed is without cumulative effect, the increments have to be released and after release of increments, the retirement benefits if any, have to

be refixed but that has not been done so in this case. The petitioner gave a representation dated
13-3-2003 to the respondent Corporation to consider his case and take an appropriate decision for refixing his pay. Hence, the respondent Corporation is directed to consider the representation of the petitioner dated 13-03-2003 as per law and dispose of the same within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. In the circumstances, no costs.

16th JULY, 2004.

Kvni

To

1. The Depot Manager, AP. State Road Transport Corporation,
Kurnool, Kurnool District

2. Two CD copies.